

Town of Needham
Injury on Duty Policy - Police Chief
Personnel Administration #417

The following procedures shall be followed with regard to work-related illness or injury.

A. Initial Treatment

1. If the Police Chief, while in the performance of his or her duties, becomes ill or injured because of his/her duties and requires immediate medical care, he/she shall be treated first at the Town-designated medical facility (currently the Deaconess Glover Hospital) unless emergency conditions clearly necessitate use of an alternate facility. Subsequent medical care that may be required may be obtained by the Police Chief from a provider of his/her choice.
2. The initial treating physician or his/her designee will complete an occupational health report.
3. A copy of the initial occupational health report will be forwarded to the Personnel Director by the Police Chief, his or her designee, or the treating physician as soon as practicable.
4. The Town shall indemnify and hold the Police Chief harmless from the payment of medical bills if he/she is required to receive initial treatment at a Town-designated medical facility and is later determined not to be eligible for IOD benefits.

B. Reporting

1. Whether or not medical attention is sought, if the Police Chief suffers an alleged work-related illness or injury, he/she must complete the Injured on Duty form and submit it to the Personnel Director within 24 hours of illness or injury, except in emergency situations, or, if in the opinion of the Personnel Director, late submission is reasonable or necessary under the circumstances. Subsequent reports may be made where the injury or illness develops at a later date, or where the injury becomes more severe at a later date.
2. In the event that the Police Chief files a lawsuit or claim against a third party in connection with a job-related injury, he/she must notify the Personnel Director in writing at the time the suit is filed.

C. Acceptance of Injury on Duty Cases

1. In the event that the Police Chief requests Injury on Duty leave, he/she shall make a request for such benefits using a form approved by the Town and shall execute and deliver to the Personnel Director a release for all medical and hospital records

pertaining to said injury or incident on a form provided by the Town. All medical information will be kept strictly confidential in accordance with state law.

2. The Police Chief requesting benefits under this section must provide medical certification from his/her treating physician documenting the nature of the injury/illness, the prognosis for further treatment and expected return to work, and the physician's opinion as to causality. Such documentation is to be requested from the physician within seven calendar days of the request for benefits.
3. The Police Chief requesting benefits under this section may be required to submit to a physical or psychological examination by a Town-designated medical provider at the expense of the Town, prior to being placed on IOD status. Such examination will be conducted by a physician who is Board Certified or is a specialist in the field which is directly related to the illness/injury for which benefits are sought. Within 14 calendar days of the request for benefits, the Town will contact the physician to arrange for an appointment.
4. The Police Chief will be placed on non-occupational sick leave pending the review of his/her entitlement to IOD benefits, if such a review is necessary. If during the period in which the Town is determining eligibility for Injured on Duty status the Police Chief exhausts his/her banked non-occupational sick leave, the Town provide the him or her with additional sick leave benefits up to the date of determination. In the event that the Police Chief is granted IOD benefits, the employee's NOSL bank will be credited for sick leave charged for an approved, work-related injury.
5. The Board of Selectmen or its designee shall make an initial determination as to the Police Chief's entitlement to benefits. If a physical examination is required, (conducted at the expense of the Town) the determination will be made within 21 days or receipt of the physician's report.

D. Reimbursement for Medical Expenses – Approved IOD Status

1. The Police Chief shall be responsible for obtaining all reports and bills relating to his/her examinations and treatment. Such bills should be submitted to the Personnel Department. No bills will be paid by the Town until all reports relating to the examination or treatment have been received by the Town.
2. The Town will pay reasonable and customary charges as determined by the Board of Selectmen/designee. Failure to receive advance approval may result in the Chief's being responsible for any balance between the billed amount and the approved payment amount.
3. The Town of Needham or its designated occupational health consultant will monitor the payment of medical expenses as part of a medical case management program. The Town will not be financially responsible for the payment of bills

for any medical, psychological or chiropractic personnel or facility engaged by the Police Chief unless advance approval is obtained, except for treatment received in an emergency situation.

4. In the event that the Police Chief seeks treatment during the period in which the Town is reviewing his/her claim for IOD status, and such status is denied, the Town will indemnify and hold the Chief harmless from any payment rejected by the Chief's health care provider.

E. Termination of Injured on Duty Status

1. A Police Chief who has been determined to be eligible for IOD benefits by the Town of Needham shall have such benefits terminated if any of the following takes place:
 - a. The Police Chief returns to full duty or limited duty (except that the Town will continue to pay for reasonable and customary medical expenses relating to said injury after the employee has returned to work).
 - b. The Police Chief retires or is pensioned in accordance with Mass. General laws.
 - c. A physician designated by the Board of Selectmen determines that the Police Chief is no longer incapacitated for duty.
 - d. The applicable general laws, as amended, provide for other reasons for termination of IOD.

F. Convalescence

1. If the Police Chief has been approved for IOD status, he/she shall not engage in any gainful employment except with permission of the Board of Selectmen.
2. When so ordered, a Police Chief who has been approved for IOD benefits shall report for physical/psychological examinations, including Independent Medical Examinations (IME's) at reasonable intervals and at the expense of the Town, to determine whether he or she is still incapacitated.
3. In the event that the Police Chief has been approved for IOD status, he or she shall comply with all requests for information, or other medical case management requirements, related to the illness/injury, by the Town or its designated occupational health consultant.

G. Applicability

The provision contained herein shall apply to all new cases, cases on-going as of the date of this policy and/or recurrences of old cases.

September 10, 1996